

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

FILED

9/6/2011

UNITED STATES OF AMERICA

DAVID CREWS, CLERK
BY [Signature] DEPUTY

v.

Criminal No. 2:11 CR 066 - P

KELLERY LIDDELL

Amended
PLEA AGREEMENT

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. GUILTY PLEA: The defendant agrees to plead guilty under oath to Count ~~One~~ ^{Six} of the Indictment, which charges that on or about ~~July 23, 2008~~ ^{March 10, 2010}, in the Northern District of Mississippi, the defendant, KELLERY LIDDELL, ~~being aided and abetted by Marquidus L. Thomas, each by the other,~~ ^{K.L. RAM}

did unlawfully, knowingly and intentionally possess with the intent to distribute and distribute a mixture and substance containing a detectable amount of cocaine base, in violation of Title 21, U.S.C. § 841(a)(1), (b)(1)(C) and Title 18, U.S.C., Section 2.

Count One carries a term of imprisonment of not more than 20 years, not more than a \$ 1 million dollar fine, or both, a supervised release period of at least three years, a \$100 special assessment, and ineligibility for federal benefits of not more than five years. With respect to a defendant having a prior felony drug conviction, then not more than 30 years imprisonment, not more than a \$2 million dollar fine, or both, a supervised release period of at least six years, a \$ 100 special assessment, and ineligibility for federal benefits of not more than five years.

2. OTHER CHARGES: The United States agrees not to charge the defendant with any other offenses arising from or related to the above charge and agrees to dismiss all other counts of the Indictment as to this defendant upon conclusion of sentencing on Count One.

3. OTHER AUTHORITIES: This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative actions or remedies.

4. VIOLATIONS OF THIS AGREEMENT: If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant, who hereby waives the provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.

5. ACKNOWLEDGMENTS: No Other Agreements; Defendant Is in Fact Guilty. Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to defendant as to what punishment the Court might impose if it accepts the plea of guilty. This agreement fully reflects all promises, agreements, and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free, and voluntary, and not the product of force, threat, or coercion. The defendant is pleading guilty because defendant is in fact guilty.

This the 30th day of August, 2011.

Felicia C. Adams
Felicia C. Adams
United States Attorney

AGREED AND CONSENTED TO:
Kellery Liddell
KELLERY LIDDELL
Defendant

APPROVED:
Justin Cluck
JUSTIN CLUCK
Attorney for Defendant